

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

Brad Lodholtz and Courtney Lodholtz,

Plaintiffs,

vs.

Continental Resources, Inc.,

Defendant.

Civil No. 4:15-cv-116

SPECIAL VERDICT FORM

Question No. 1: To the greater weight of the evidence, do you find that Defendant Continental Resources, Inc. was at fault for the accident on December 17, 2013 that is involved in this action?

Yes

☒

No

If you answered "No" to Question No. 1, STOP and sign and date this verdict form. If you answered "Yes" to Question No. 1, then answer Question No. 2.

Question No. 2: Do you find that Defendant Continental Resources, Inc.'s fault was a proximate cause of Brad Lodholtz's damages?

Yes

☒

No

If you answered "Yes" to Question No. 2, then answer Question 3. If you answered "No" to Question No. 2, STOP and sign and date this verdict form.

Question No. 3: To the greater weight of the evidence, do you find that Brad Lodholtz was at fault for the accident on December 17, 2013 that is involved in this action?

Yes

☒

No

If you answered "No" to Question No. 3, then SKIP Question No. 4 and proceed to Question No. 5. If you answered "Yes" to Question No. 3, then answer Question No. 4.

Question No. 4: Do you find that Brad Lodholtz's fault was a proximate cause of his damages?

Yes ☒

No ☐

Whether you answered "Yes" or "No" to Question No. 4, please answer Question No. 5.

Question No. 5: Taking all of the fault that was a proximate cause of Brad Lodholtz's injuries and damages as 100%, what percentage of fault do you allocate to:

72.5 % to Continental Resources, Inc.

27.5 % to Brad Lodholtz

100 % TOTAL

Question No. 6: What amount of money will fairly compensate Brad Lodholtz? Do not include any pre-judgment interest or a reduction for allocation of fault in your calculation.

Past economic damages \$ 546,000.00

Future economic damages \$ 3.7 million

Past non-economic damages \$ 1 million

Future non-economic damages \$ 1 million

Question No. 7: In your discretion, do you award interest at the pre-judgment rate of up to 6% with regard to Brad Lodholtz's damages?

Yes ☐

No ☒

If you answered "Yes" to Question No. 7, then answer Question No. 8. If you answered "No" to Question No. 7, please SKIP Question 8 and proceed to Question 9.

Question No. 8: At what percent do you award interest with a maximum of 6%?

 %

Question No. 9: If you have awarded damages to Plaintiff Brad Lodholtz, please answer the following question: To the greater weight of the evidence, do you find that Plaintiff Courtney Lodholtz has suffered a loss of consortium?

Yes ✓ No _____

If you answered "Yes" to Question No. 9, then answer Question No. 10. If you answered "No" to Question No. 9, please SKIP the following questions and sign and date the verdict form.

Question No. 10: What amount of money will fairly compensate Courtney Lodholtz? Do not include any pre-judgment interest.

Past damages \$ 500,000.00

Future damages \$ 1.75 million

Question No. 11: In your discretion, do you award interest at the pre-judgment rate of up to 6% with regard to Courtney Lodholtz's damages?

Yes _____ No ✓

If you answered "Yes" to Question No. 11, then answer Question No. 12. If you answered "No" to Question No. 11, please SKIP Question 12 and sign and date the verdict form.

Question No. 12: At what percent do you award interest with a maximum of 6%?

_____ %

Dated this 22 day of July, 2017.

Presiding Juror (signature)

Presiding Juror (printed)